

North Carolina Agriculture Cost Share Program Review Summary
(February, 2017)

County	<u>Hoke</u>	Date of Previous Review/Report	<u>March 2013</u>
District Staff Name(s)	<u>James Warner</u>	Date	<u>February 6, 2017</u>
NRCS Staff Name(s)	<u></u>		
Division Representative(s)	<u>David Harrison, Louise Hart, Kelly Hedgepeth</u>		
Additional Participants	<u></u>		

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Section 1: Application Procedures and Tracking Progress (BMP Implementation and Payments)										
Questions in this section focus on how the district advertises the program, how applications are developed, how contracts are developed, how funds are tracked and how the board approves each.										
How/when are the district board meetings scheduled?				X	The board holds quarterly meetings- 11:30 am at a local restaurant – 3 rd Wednesday and as needed.		X			
How do you notify the public of the board meeting schedule? Does it adhere to the Open Meetings Law?		X			Notice of the board meeting is posted at the District Office and at the Restaurant two weeks ahead. The Division recommends that you consider posting the meeting on the	X				

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
					district or county website as well as with the county clerk of court. While it has not been formally decided if soil and water district boards fall under “county government” it is recommended they follow the same procedures outlined in http://www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_143/Article_33C.html section § 143-318.12.					

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Please describe the district's process for providing assistance to applicants by assessing resource concerns to determine if a BMP is "needed and feasible" and then developing the conservation plan.				X	Staff conducts an on-site visit, the ranking form is completed and notes are made on resource concerns		X			
In what instances does the district provide technical assistance without cost share funds?				X	Staff spend some time providing technical assistance on stormwater runoff from highways and general assistance to home owners.		X			
Are applications reviewed and approved by the Board as a separate action item?				X	Yes		X			
Are application motions/decisions recorded in the board minutes?				X	Yes		X			
Applicants are limited when applying for incentive BMPs. How does your district track applicants so they do not go over the practice caps and to be sure they haven't already "adopted" the practice? Is your district using the self-certification for incentives form provided by the division?				X	The district maintains a spreadsheet tracking incentive BMP payments, and relies on local knowledge of BMP adoption. Yes, the district is using the incentive self-certification form.		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
If multiple partners farm together, how does the district track individual applicants as one operation or entity?				X	The district relies on local knowledge of cooperators to track applications and associated entities.		X			
At what point in the application process does the district develop the contract? Describe this process.				X	Contract development starts after the ranking form score. Information from the on-site visit is used to develop the contract.		X			
Describe how the district reviews the contract with the applicant. Do you explain that work cannot begin until the contract is approved by the division?				X	Staff meet in person with the applicant, reviews the work to be done and cautions against starting work before division approval		X			
Describe the district/board's procedure for approving supervisor contracts.				X	District Supervisors follow Commission policy and abstain from discussion and voting on their contracts		X			
Are contracts reviewed and approved by the Board as a separate action item?				X	Yes		X			
Are contract motions/decisions recorded in the board minutes?				X	Yes		X			
Is it documented in the Board minutes that the supervisor abstained from discussing his/her own contract and from voting?				X	Yes – one supervisor abstained and stepped out of the room during the discussion for a contract for his brother-in-law.		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
What procedures do you follow for notifying the applicant that work can begin?				X	Applicant is notified by letter.		X			
What information do you provide the applicant?				X	The applicant receives a copy of contract including all contract details and engineering designs.		X			
What technical assistance do you provide during the BMP installation process to ensure the BMP is installed correctly and by the contract deadline?				X	Information is listed on the contract and reviewed with the applicant. NRCS is used for engineering practices.		X			
How do you track the Commission's interim performance milestone? One-third of the work must be completed within 12 months of division approval.				X	The district uses a spreadsheet to track contract work. Staff follows-up with applicants as needed.		X			
If 1/3 of the work has not been completed within 12 months and the cooperator requests additional time, is the district recording 6-month extensions in the board minutes?				X	Most contracts are installed within the first year.		X			



Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
What documentation do you include in the contract file that certifies that the BMP was inspected and is installed to the standards and specifications?				X	The district includes field notes from site visits and receipts for applicable BMPs.		X			
Are BMPs measured then certified before the request for payment is approved?				X	Yes.		X			
Are receipts received and reviewed for CSP BMPs that are based on actual cost?				X	Yes		X			
Are Requests for Payments reviewed and approved by the board as a separate action item?				X	Yes. RFPs are often signed outside of board meetings by Tommy Lindsay and brought to the next board meeting as an information item.		X			
Are payment motions/decisions recorded in the board minutes?				X	Yes		X			
Section 2: Spot Checks and Compliance Issues Questions in this section focus on how the district reviews BMPs for compliance and how maintenance and/or non-compliance issues are addressed.										
Who participates in annual spot checks? When are they conducted?				X	Spot checks are done in March and Supervisors (usually 2) and NRCS participate.		X			



Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
How does the district randomly select which contracts to spot check?				X	Random selection		X			
Are all BMPs under the waste management category spot checked for the first five years after installation? This applies to all farms that fall under the thresholds that are regulated by DWR.				X	Yes.		X			
Are all agriculture new ponds, pond repair/retrofits, and water collection systems being spot-checked every year during the maintenance period?				X	None in the District		X			
Are all agriculture road repair/stabilizations being spot-checked at least every 2 years during the maintenance period?				X	None in the District		X			
How does the district notify the NRCS area office (for ACSP contracts) or division (for CCAP contracts) to conduct spot checks on lands owned or operated by a district, county, division or NRCS employee or district supervisor? This includes CPOs, revisions, supplements or repairs.				X	Requested through the NRCS District Conservationist.		X			



Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
<p>The North Carolina Statute 02 NCAC 59D.0107(f) states, " If the technical representative of the district determines that a BMP for which program funds were received has been destroyed or has not been properly maintained, the applicant will be notified that the BMP must be repaired or re-implemented within 30 working days. For vegetative practices, applicants are given one calendar year to re-establish the vegetation."</p> <p>How does your district notify individuals that have destroyed or mismanaged a BMP?</p>				X	Certified Letter is sent with the required information. The district has only had to do this once so far. far. District Staff are aware of and will be sure to follow the Commission Policy when they encounter a non-compliant contract.		X			
<p>How are supervisors notified of BMPs that are found to be destroyed or mismanaged at any time throughout the year?</p>				X	Supervisors are notified by phone and information is presented at the next District Meeting.		X			



Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Does the district provide a written notice that the BMP must be repaired or re-implemented within 30 working days? (Vegetative practices have to be reestablished within one calendar year.) Is a copy of the notification kept in the contract file?				X	Yes. District uses Certified mail.		X			
If the BMP was not repaired or re-implemented, was repayment requested? Please provide documentation.				X	Yes. Only one instance so far.		X			
Is the district notifying the division of non-compliance and resolutions?				X	Yes		X			
Section 3: Record Keeping Questions in this section focus on how funds are managed and accounted for, maintaining proper design and job approval authority, as well as disclosure forms.										
How does the district track BMP funds?				X	The district maintains a spreadsheet and uses CS ² .		X			
In what instances does the district use the division on-line (website & CS ²) reports?				X	The district uses these tools to provide information to the District Board and to check their spreadsheet balances.		X			
How are technical assistance and operating funds tracked? Are they audited? What is the		X			The district does not receive technical assistance funds. Operating funds are routed through the county. They are audited by the	X				




Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
date of the last audit? Who performed the audit?					county. Hoke SWCD should request a copy of the audit or the section of the audit to have on file.					
Who in the office is funded by Cost Share Technical Assistance (TA) from the State?				X	None		X			
How are matching funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	Tracked by the district and audited by a private CPA. August 2016.		X			
Is proper job approval authority (JAA) documented for each technical and cost share position? Please provide a copy of the latest approved JAA.				X	Yes		X			



Section 4: Contract Reviews and Site Visits Below is a list of the contracts the division reviewed. Spot checks were also conducted. Notes include recommendations and/or corrective action for contract files as well as the BMP. Contracts/BMPs are listed by contract number.															
Contract Number: 47-2008-002 Applicant Name: Roy Wood, Jr. BMP: Waste Application 			X		Unable to find contract file. Please find this file. If unable to locate, please create a file to support this contract. The Division can share what we have in our files for this contract if necessary.	X									
Contract Number: 47-2009-009 Applicant Name: Dan Hagins II BMP: Pasture Renovation 			X		Field has been tilled and is no longer pasture. Please follow the non-compliance policy and keep the Division informed.	X									

<div>Contract Number: 47-2009-017</div> <div>Applicant Name: Eddie Baker</div> <div>BMP: Well</div> <div></div>				X	Two wells included in contract.		X			
<div>Contract Number: 47-2012-002</div> <div>Applicant Name: Rick Lowery</div> <div>BMP: Litter Spreader</div> <div></div>				X	Spot Check Note from 2015 about Safety Shield on PTO shaft. All equipment in good condition.		X			

<div>Contract Number: 47-2013-001</div> <div>Applicant Name: Lacey Cummings</div> <div>BMP: CAT / Mortality</div> <div></div> <div></div>		x			<div>Broken aerator pipe in one bin.</div> <div>Contact cooperator to have it repaired. Please follow the non-compliance policy if not repaired and keep the Division informed.</div>	X					
---	--	---	--	--	---	---	--	--	--	--	--

<div>Contract Number: 47-2014-001</div> <div>Applicant Name: James Hardin</div> <div>BMP: CAT / Mortality</div> <div></div>				X	BMP is good condition and being used as planned		X			
<div>Contract Number: 47-2014-002</div> <div>Applicant Name: Lacy Cummings</div> <div>BMP: Litter Spreader</div> <div></div>		X			<div>Cooperator had not signed the Nutrient Management Statement, but the Nutrient Management Plan was signed.</div> <div>Equipment in good condition.</div> <div>Please be sure all signatures are in place in the future</div>		X			

<div>Contract Number: 47-2015-801</div> <div>Applicant Name: Eddie Baker</div> <div>BMP: Irrigation Well</div> <div></div>				X	Well being used for greenhouse irrigation.		X			
<div>Contract Number: 47-2015-802</div> <div>Applicant Name: Patricia Lyons</div> <div>BMP: Irrigation Well</div> <div></div>		X			AgWRAP Well questions were missing from the file. Please include these in contracts in the future.		X			

<div>Contract Number: 47-2016-005</div> <div>Applicant Name: Donald Lindsay</div> <div>BMP: 3-Yr Conservation Tillage</div> <div></div>				X	Field in good condition with adequate cover.		X			
<div>Contract Number: 47-2016-007</div> <div>Applicant Name: Hendrix Livestock</div> <div>BMP: 3-Yr Conservation Tillage</div> <div></div>				X	Field in good condition with adequate cover.		X			